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Document Description: Request for Recalculation in view of Wyeth

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REQUEST FOR RECALCULATION OF PATENT TERM ADJUSTMENT IN VIEW OF *WYETH**

Attorney Docket
Number: 68143(70820)

Application
Number: 10/500,999-Conf. #3369

Filing Date
(or 371(b) or (f) Date): October 1, 2004

Patent Number: 7,662,974

Issue Date: February 16, 2010

First Named
Inventor: Jun-Ichi Kawakami

Title: PROCESS FOR PRODUCING FUSED IMIDAZOLE COMPOUND, REFORMATSKY
REAGENT IN STABLE FORM, AND PROCESS FOR PRODUCING THE SAME

PATENTEE HEREBY REQUESTS RECALCULATION OF THE PATENT TERM
ADJUSTMENT (PTA) UNDER 35 USC 154(b) INDICATED ON THE ABOVE-IDENTIFIED
PATENT. THE PATENTEE'S SOLE BASIS FOR REQUESTING THE RECALCULATION
IS THE USPTO'S PRE-*WYETH* INTERPRETATION OF 35 U.S.C. 154(b)(2)(A).

Note: This form is only for requesting a recalculation of PTA for patents issued
before March 2, 2010, if the sole basis for requesting the recalculation is the
USPTO's pre-*Wyeth* interpretation of 35 U.S.C. 154(b)(2)(A). See Instruction
Sheet on page 2 for more information.

Patentees are reminded that to preserve the right to review in the United States
District Court for the District of Columbia of the USPTO's patent term adjustment
determination, a patentee must ensure that he or she also takes the steps required
under 35 U.S.C. 154(b)(3) and (b)(4) and 37 CFR 1.705 in a timely manner.

**Wyeth v. Kappos*, No. 2009-1120 (Fed. Cir., Jan. 7, 2010).

Signature	/Nicholas J. DiCeglie, Jr./	Date	April 30, 2010
Name (Print/Typed)	Nicholas J. DiCeglie, Jr.	Registration Number	51,615
Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms if more than one signature, see below.			
<input type="checkbox"/> *Total of <u>1</u> forms are submitted.			

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: April 30, 2010

Electronic Signature for Nicholas J. DiCeglie, Jr.: /Nicholas J. DiCeglie, Jr./